



Board of Directors

President

Ronald W. Sullivan

**Vice President
and Treasurer**

Joseph J. Kuebler, CPA

Philip E. Paule
Randy A. Record
David J. Slawson

Board Secretary

Rosemarie V. Howell

General Manager

Anthony J. Pack

**Director of the
Metropolitan Water
District of So. Calif.**

Randy A. Record

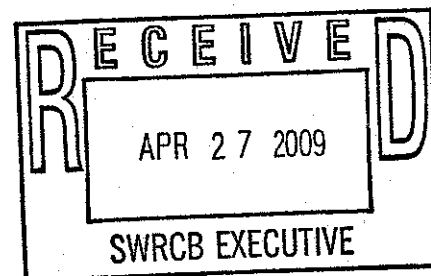
Legal Counsel

Redwine and Sherrill

April 27, 2009

Via E-mail & U.S. Mail

Charles R. Hoppin, Chair, and Members
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814
Attn: Jeanine Townsend, Acting Clerk to the Board
(commentletters@waterboards.ca.gov)



Dear Mr. Hoppin and Members of the Board:

SUBJECT: State Water Resources Control Board's Draft General Waste Discharge Requirements for Landscape Irrigation Uses for Municipal Recycled Water (General Permit)

Eastern Municipal Water District (EMWD) appreciates the opportunity to provide our comments on the State Water Resources Control Board's Draft General Permit. We support the State's goal to promote recycled water projects during this time of unprecedented water crisis. Recycled water is a major source of water supply in California and a major component in California's plan for meeting the State's growing water demand. EMWD relies on recycled water as an essential part of our water resource portfolio. We support the recently approved Recycled Water Policy by the State Water Resources Control Board. However, we are very concerned with this Draft General Permit as written, regulating the use of recycled water landscape irrigation. The language in the General Permit digresses from what EMWD understood was the intent of your Recycled Water Policy. It adds significant changes and additional burdens to our existing Recycled Water Program.

EMWD currently provides potable water and water reclamation services to an exponentially growing population of 650,000 people in a service area of 550 square miles. Approximately 65% of the 46 MGD of recycled water that is produced by our four wastewater treatment plants is reused; this represents about 26,000 acre-feet or 5% of the State's recycled water supply. EMWD has a mature recycled water program that dates back to the first deliveries in the 1960's. EMWD has mapped and projected the growth, changes in customer type, now and in the future, and has developed a comprehensive capital improvement program to meet the recycled water demands in the next 25 years. EMWD has

invested approximately \$134 million in the infrastructure of the recycled water system. EMWD has plans to invest an additional \$19 million towards system improvements, along with significant financial support from Federal and State loans and grant programs. As the provider of both water and water reclamation services to western Riverside County, EMWD has the ability to effectively manage the groundwater basins within our District boundaries. This has been done and documented in EMWD's Urban Water Management Plan. In addition, the EMWD has worked with the local Regional Board to renew the Waste Discharge Permit as a Recycled Water Master Permit and to address recycled water use in accordance with the basin management plan.

EMWD provides the following comments and recommendations to the General Permit:

1. Page 1, paragraph 2, recommend that the intent of this permit include a statement that this General Permit only applies to landscape project, not including agricultural irrigation and industrial reuse.
2. Page 9, paragraph 43, recommend that the factors include the exact language from Section 13241 as follows:
 - a. Past, present, and probable future beneficial uses of water.
 - b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.
 - c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.
 - d. Economic considerations.
 - e. The need for developing housing within the region.
 - f. The need to develop and use recycled water.
3. Page 9, paragraph 44 a., recommend this requirement be removed as it applies to the Recycled Water Users for landscape rather than the Producers and/or Distributors.
4. Page 10, paragraph 46 b. and c., recommend this requirement be removed as it applies to the Recycled Water Users for landscape rather than the Producers and/or Distributors. Recommend the following be considered:
 - a. Establish an educational program for recycled water users to include:
 - i. Identifying and implementing best management practices;
 - ii. Applying recycled water at agronomic rates;
 - iii. Recycle water use as it applies to Title 22 requirements;
 - iv. Nutrient demands for landscape.
 - v. Training of the User Recycled Water on-site supervisor or contact.
5. Page 10, paragraph 47 a., recommend this requirement be removed as it applies to the Recycled Water Users for landscape rather than the Producers and/or Distributors.
6. Page 11, paragraph A.3, recommend this Prohibition be removed as it is not required in Title 22. This Prohibition would inhibit the development of recycled water system for landscape usage; directly opposite of the intent of the Recycle Water Policy.

7. Page 11, paragraph A.5, recommend this Prohibition be removed as it is not required in Title 22. This Prohibition appears to be counter-productive when recycled water is used for groundwater recharge.
8. Page 11, paragraph A.6, recommend removal of this Prohibition. The General Permit is specific to uses for landscape irrigation not industrial reuses such as cooling towers. Title 22 already applies to the industrial uses of recycled water and includes the approved use with cooling towers as stated in section 60306. In addition, EMWD provides recycled water to the Inland Empire Energy Center for use in the production of electrical energy and in their cooling towers. EMWD even uses recycled water for their buildings' cooling tower.
9. Page 11, paragraph A.7, recommend to state "In the event that a cross connection test is unable to be performed for both potable and recycled water system at a proposed recycled water use areas, than recycled water use is prohibited."
10. Page 12, paragraph A.8, this is in direct conflict with what our agency has been told about how the Emerging Constituents (ECs) are going to be managed by the regulatory agencies. This paragraph states that if ECs are detected, recycled water use will be prohibited. We do not even understand the toxicity of ECs, until we have completed the blue ribbon evaluation. Therefore, it is recommended to remove the Prohibition and to address it in the future.
11. Page 12, paragraph A.14., recommend removing this Prohibition as it does not allow for offset and mitigation programs for uses of recycled water.
12. Page 12, paragraph A.16., recommend removing this Prohibition as it generalizes a requirement for "application of any material" being non-specific to recycled water.
13. Page 13, paragraph B.4., recommend removing the statement "Application of waste constituents to the Use Area shall be at reasonable agronomic rates and shall consider soil, climate, and nutrient demand. Application rates shall ensure that a nuisance is not created." as it applies to Recycled Water Users for landscape rather than Producers and/or Distributors.
14. Page 13, paragraph B.5., recommend removing this Prohibition or modifying it to apply as an educational requirement for Producers and/or Distributors to Recycled Water Users. This Prohibition applies to Recycled Water Users rather than Producers and/or Distributors.
15. Page 13, paragraph B.9, recommend to include "Variances shall be approved by CDPH on a case-by-case basis."; at times, CDPH will make exemptions to this separation if certain piping materials and/or barriers are installed. In addition, clarification is required for the definition of "pipelines" as opposed to "landscape irrigation line".

Mr. Hoppin and Members of the Board

Page 4

April 27, 2009

16. Page 14, paragraph B.12, recommend that the universal recycle water symbol, as required in Title 22, of a glass with a circle and line through it, be the only requirement; as many of our recycled water customers do not speak English and/or Spanish.
17. Page 15, paragraph C.1.a, recommend that the Producers either comply with this General Permit, "or" their existing waste discharge requirements, not both. One permit should be sufficient to regulate the reuse of the recycled water.
18. Page 16, paragraph C.5.b., recommend that the individualized Irrigation Management Plan be removed and that the responsibility of this requirement be placed upon the Recycled Water Users rather than the Producers and/or Distributors.
19. Page 17, paragraph C.5 c., recommends that the copies required (Title 22 Engineering Report, agreements, duty statement, and training verification) not be submitted but rather "be available upon request". For EMWD, this Specification will result in boxes of documents to be submitted to the State.
20. EMWD recommends that this entire section, Monitoring and Reporting, be eliminated and let the Producers and/or Distributors provide recommendations for demonstrating compliance. This is an onerous requirement and it can be regulated through the self monitoring and annual reports already required by existing waste discharge requirements.

In addition, EMWD agrees and supports the comments and recommendations that have been provided by the WaterReuse Association. Thank you for the opportunity to comment, if you have any questions, please feel free to contact Jayne Joy at (951) 928-3777 extension 6241.

Sincerely,



Anthony J. Pack
General Manager

JJ/AJ: tm

cc: Records Management